

REMARKS

I. Affirmation of Restriction Election

In the parent case, the Applicant has selected species 1 (claims 1-31) without traverse.

II. Response to Rejections Under 35 USC 103

At page 3, item 8 of the Office Action, claims 1, 2, 4-6, 8, 10, 13-16, 18, 22-25, and 27 are rejected under 35 USC 103(a) as being unpatentable over "Miller" (US Patent Number 5,495,095), in view of "Hulick" (US Patent Number 6,462,941), and "Yabe" (US Patent Number 5,132,681). The Applicant hereby traverses this rejection since there is no motivation to combine the references.

In Miller, an object position and proximity detector is disclosed. Miller includes a sensor matrix array having a characteristic capacitance on horizontal and vertical conductors connected to sensor pads. In Yabe, an intelligent switch system including switches embedded on a wall surface near an entrance to each floor is described.

In Hulick, a method and apparatus for backlighting a *handwriting* input area for a portable device is disclosed. Hulick includes a display area for displaying alphanumeric data and other images. However, while Miller and Yabe allow "touch" inputs, in which a user's finger or thumb can be used to control the device, Hulick requires that a *stylus* be used. For example, at column 4, lines 26-28, the "touch screen" of Hulick is disclosed as:

"The display screen 105 is a touch screen able to register contact between the screen and the tip of the **stylus** 80. " [boldface type added]

Additionally, at column 5, lines 51-54, Hulick further describes the "touch screen" as:

"In one implementation, device 107 is a touch screen device incorporated with screen 105. Device 107 is capable of registering a position on the screen 105 where the **stylus** makes contact."
[boldface added]

In fact, throughout Hulick, the term "touch screen" does not imply a screen in which inputs can be received by way of a user's finger or thumb making contact with the surface of the screen, as the term is used in the Miller and Yabe references. Rather, the "touch screen" of Hulick, requires that the user make use of a "stylus" that allows the device to receive *handwriting* inputs as opposed to inputs received from a true "touch screen" which accepts inputs from a user's finger or thumb. Therefore, *the Applicant insists that the Hulick reference has been taken out of context and that there is no underlying scientific principle that could unify the system of Hulick with the system of either Miller or Yabe.* By requiring a stylus to input information into the device of Hulick, Hulick discloses a completely different, stylus-based device that in fact *teaches away* from the finger touch-based devices of Miller and Yabe.

Thus, the Applicant believes that the Examiner has improperly combined Miller and Yabe with Hulick. Accordingly, the Applicant believes that this rejection has been overcome.

At page 3, item 8 of the Office Action, claims 3, 7, and 26 are rejected under 35 USC 103(a) as being unpatentable over "Miller", "Hulick", and "Yabe" as applied to claims 1 and 18 above, and further in view of "Chan" (US Patent Number 6,061,051). The Applicant hereby traverses this rejection since, as previously discussed, there is no motivation to combine the Miller, Hulick, and Yabe references. Further, there is no motivation to combine the Chan reference with either Miller or Yabe.

As previously discussed, Miller discloses an object position and proximity detector. Miller includes a sensor matrix array having a characteristic capacitance on horizontal and vertical conductors connected to sensor pads. In Yabe, an

intelligent switch system including switches embedded on a wall surface near an entrance to each floor is described.

Chan discloses a method and system for issuing *pen-input* commands from a computer system to a controller for a touchpad to initialize the controller to the desired operating mode for the touchpad. The touchpad of Chan may *emulate* the function of a mouse-pointing device or provide absolute coordinates of a pointed object such as human finger, a stylus, or a pen upon the touchpad. However, while Miller and Yabe do allow "touch" inputs, in which a user's finger or thumb can be used to control the device, Chan requires that a stylus be used *and includes no provision for using a finger or thumb*. For example, at column 1, lines 15-18, the "touchpad" of Chan is defined:

"Touchpads are small digitizer based devices that are **pen input** devices to allow a person to write or draw upon the surface of the touchpad and have the signals and codes from a controller to be interpreted by a computer system" [boldface type added]

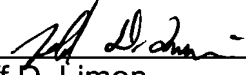
Thus, in Chan, the term "touchpad" does not imply a screen in which inputs can be received by way of a user's finger or thumb making contact with the surface of the screen. Rather, the "touchpad" of Chan, requires that the user make use of a "pen input device" that allows the device to receive *handwriting* inputs as opposed to inputs received from a true "touchpad" that accepts inputs from a user's finger or thumb. Therefore, *the Applicant insists that the Chan reference has been taken out of context and that there is no underlying scientific principle that could unify the system of Chan with the system of either Miller or Yabe*. By requiring a stylus to input information into the device of Chan, Chan discloses a completely different, pen-based device that in fact *teaches away* from the finger touch-based devices of Miller and Yabe.

Thus, the Applicant believes that the Examiner has improperly combined Miller and Yabe with Chan. Accordingly, the Applicant requests that the Examiner withdraw all rejections to the claims and pass this application onto allowance.

III. Additional Fees

It is not believed that additional fees are due at this time; however, if any additional fee is required in connection with the filing of this Amendment, please charge the fee to Deposit Account No. 08-2025.

Respectfully Submitted,
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